

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT

Name of District Court, and/or Judge/Magistrate Location (City)  
USDC SDWV at Charleston, WV

Name and Office of Person  
Furnishing Information on  
THIS FORM Janette Martin  
☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y  
(if assigned) LARRY R. ELLIS

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

FBI

Linwood Smith

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40 . Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this is prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate judge regarding this defendant were recorded under

SHOW  
DOCKET NO.

MAG. JUDGE  
CASE NO.

Place of  
offense

Griffithsville, WV

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

**DEFENDANT U.S. vs.**

PHILIP ANDREWS DUVAL

Address  
Huntington, WV

Birth Date  
05-21-1956

☒ Male ☐ Alien  
☐ Female (if applicable)

Social Security Number  
232-92-8801

**DEFENDANT**

**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding  
If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

**DATE OF  
ARREST**

Or... if Arresting Agency & Warrant were not Federal

**DATE TRANSFERRED  
TO U.S. CUSTODY**

☐ This report amends AO 257 previously submitted

**OFFENSE CHARGED – U.S.C. CITATION – STATUTORY MAXIMUM PENALTIES – ADDITIONAL INFORMATION OR COMMENTS**

18 U.S.C. Section 2251(a)  
18 U.S.C. Section 2252A(a)(1)  
18 U.S.C. Section 2252A(a)(2)(A)  
18 U.S.C. Section 2252A(a)(5)(B)  
18 U.S.C. Section 2422(b)  
18 U.S.C. Section 1470

Producing, receiving, transmitting and possessing child pornography, enticing minors into illegal sexual conduct, and transfer of obscenity to minors.

